reference that shows or suggests that the teachings therein can or should be applied to a method of installing a modular light assembly in a vehicle, as specifically claimed. Thus, the Malita reference cannot anticipate the claimed invention.

Section 2111.02 of the M.P.E.P. states that "[a]ny terminology in the preamble [of a claim] that limits the structure of the claimed invention must be treated as a claim limitation" (emphasis added). That Section further states that "[t]he determination of whether preamble recitations are structural limitations can be resolved only on review of the entirety of the application 'to gain an understanding of what the inventors actually invented and intended to encompass by the claim.' " Also, it is stated therein that "[i]f the claim preamble is 'necessary to give life, meaning, and vitality' to the claim, then the claim preamble should be construed as if in the balance of the claim.' "

In this instance, the entire specification discusses the invention as a method of installing a modular light assembly in a vehicle. Nowhere in the specification is it shown or suggested that the claimed invention can or should be used outside of the specifically recited environment of a vehicle. Thus, it is essential that independent Claims 1 and 21 be limited to the installation of a modular light assembly in a vehicle. Because of these specific limitations, the Malita reference cannot anticipate the claimed invention.

This is not an instance where the preamble merely states the purpose or intended use of the invention. On the contrary, the preambles of independent Claims 1 and 21 provide a distinct definition of the claimed invention. This is, again, supported by the entire specification, which is solely limited to the installation of a modular light assembly in a vehicle. In this instance, the recited purpose results in a manipulative difference between the claimed invention and the prior art. Thus, the recitations serve to limit the respective independent claims.

The Examiner also rejected Claim 7 as being unpatentable over the combined teachings of the Malita and Barnett et al. references. This rejection is also respectfully traversed. The Examiner stated that the Barnett et al. reference teaches a plurality of outwardly extending mounting fingers of a trim bezel. However, what the Examiner refers to as a trim bezel is actually a printed circuit board, and the fingers are



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extensions from the LED (see Paragraph 0037, Lines 6 and 7 of the Bartnett et al. reference). There is simply no suggestion in the Barnett et al. reference that corresponds with the claimed method of mounting one of the modular light assemblies provided in the claimed method in a vehicle trim bezel. Thus, the invention as claimed in Claim 7 is also clearly patentable over the art of record.

Respectfully submitted,



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